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PTO/SB/30 (08-03)

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**Request  
For  
Continued Examination (RCE)  
Transmittal**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/579,548
Filing Date	May 26, 2000
First Named Inventor	Alan H. Lazarus
Art Unit	1644
Examiner Name	Phillip Gambel
Attorney Docket Number	701826-050750

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other Petition for Ext. of Time; Express Mail Cert. - ET868721833 US; Change of Atty. Address; Return Receipt Postcard

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-0850 relating to this submission
- i. ☒ RCE fee required under 37 CFR 1.17(e) 09/21/2004 JADD01 00000009 09579548
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1,720.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	David Resnick	Registration No. (Attorney/Agent)	34,235
Signature	<i>[Signature]</i>	Date	September 17, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. Express Mailing Label No. ET 868721833 US

Name (Print/Type)	Nicole M. Acquie	Date	September 17, 2004
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 701826-050750

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **LAZARUS Alan H. et al.**  
Filed: **May 26, 2000**  
Serial No.: **09/579,548**  
Title: **METHOD FOR INHIBITING *IN VIVO* IMMUNE RESPONSE**  
Examiner: **Phillip Gambel**  
Group Art Unit: **1644**

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date 9/17/04

Nicole M. Aguirre

(type or print name of person mailing paper)

Nicole M. Aguirre  
Signature of person mailing paper

RESPONSE UNDER  
37 C.F.R. 1.114  
EXAMINING GROUP  
1644

MAIL STOP RCE  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT – 37 C.F.R. 1.114

Dear Sir:

In response to the Final Office Action dated March 17, 2004, please further amend the above-identified patent application as follows. A three month extension of time request with the appropriate fee is provided herewith.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.